

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: GALVA CABLE COMPANY, LLC	DOCKET NO. VCA-2014-0007
	CERTIFICATE NO. VC-0025

ORDER GRANTING APPLICATION AND ISSUING CERTIFICATE

(Issued October 27, 2014)

On September 26, 2014, Galva Cable Company, LLC (Galva), filed with the Utilities Board (Board) an initial application for a certificate of franchise authority to provide cable and video service pursuant to Iowa Code chapter 477A and 199 IAC chapter 44. Galva's initial application consists of a completed application form, a signed affidavit, and a "Statement in Support of Application" (Statement). Galva identifies its service area, which consists of several municipalities and unincorporated areas, in an attachment identified as "Schedule 1."

Galva supplemented its application on October 9, 2014, with a filing including copies of the required notices to affected municipalities and incumbent cable operators.

In the Statement, Galva explains it is a limited liability company organized under the laws of Kansas and is authorized to conduct business in Iowa. Galva states it has been providing cable television service since 1986 to seven communities in Kansas. Galva explains it was partially acquired in 2012 by Skitter, Inc. (Skitter), a

cable/video technology company based in Georgia; Skitter now manages Galva. Galva states that its system in Galva, Kansas, was converted to Internet protocol television (IPTV) and now all of Galva's systems operate as IPTV systems through operating relationships with local exchange carriers under the brand name "Skitter TV." Galva explains it operates IPTV cable systems in communities in Missouri, Illinois, Texas, Nebraska, and California, and plans to expand its operations to Iowa.

Galva's application includes an affidavit signed by a corporate officer affirming that the company has filed or will file with the Federal Communications Commission (FCC) all forms required by the FCC before offering service in Iowa and that the company agrees to comply with all applicable federal and state statutes, regulations, and rules and with all applicable state laws and nondiscriminatory municipal ordinances and regulations regarding the use and occupation of a public right-of-way in the delivery of service, to the extent consistent with Iowa Code chapter 477A, including the police powers of the municipalities in which the service is delivered. The application includes the names and titles of Galva's principal executive officers with direct authority over cable and video operations and provides customer service contact information.

Because Galva does not hold a Board-issued certificate of convenience and necessity to provide local exchange telephone service, Galva was required to provide documentation that it possesses sufficient managerial, technical, and financial capability to provide the proposed service. See Iowa Code § 477A.3(1)"f". In the

Statement, Galva explains its management team has worked together in the cable and telecommunications industry for more than 25 years. Galva provides background information about its corporate officers, explaining that its chief executive officer is one of the inventors of the HTTP Live Streaming video technology used by Apple TV. Galva's vice president and general counsel served as assistant general counsel for Turner Broadcasting.

Galva submitted information about its financial capability to provide the proposed service in Confidential Exhibit A and has asked for confidential treatment of that document. The Board will address Galva's request for confidential treatment in a separate order.

With respect to its technical qualifications, Galva explains it will use Skitter's advanced IPTV technology to provide service in Iowa. Galva intends to provide cable and IPTV service in certain municipalities in the local exchange service territories of the local exchange carriers with which it has operating relationships. Galva indicates it will provide service using its own facilities and by licensing or leasing existing facilities of local exchange carriers.

Through its relationship with IAMO Telephone Company, Galva proposes to serve the Iowa municipalities of Braddyville, Coin, College Springs, Northboro, and Shambaugh, and rural areas of Page County and Fremont County.

Through its relationship with Grand River Mutual Telephone Corporation, Galva proposed to serve the Iowa municipalities of Allerton, Blockton, Corydon, Davis City,

Derby, Garden Grove, Grand River, Lamoni, Leon, Lineville, Lorimor, Millerton, Murray, Thayer, Weldon, and Van Wert.

Galva states its business plan and model focus on providing a high level of technical operations and customer service through its relationships with local exchange carriers. Galva will offer its service independently from any telecommunications or cable television services offered by the local exchange carriers with which Galva has operating relationships, but those relationships will provide Galva with access to local technicians to provide efficient service.

Galva intends to commence providing service in the proposed service area November 15, 2014.

The Board has reviewed Galva's application and finds it complies with the Board's rules at 199 IAC 44 and with the requirements in Iowa Code chapter 477A. The application form submitted by Galva is the one developed by the Board and includes all the information required by 199 IAC 44.3(3). In the October 9, 2014, supplemental filing, Galva provided copies of the required notices sent to the affected incumbent cable provider and the affected municipalities.

After reviewing Galva's documentation of its managerial, technical, and financial capability to provide the proposed service, the Board concludes Galva possesses the necessary capabilities to provide the service.

With respect to the requirement in Iowa Code § 477A.3(1)"g" that an applicant provide copies of advertisements, Galva explains it plans to provide IPTV service to

existing customers of the local exchange carriers with which Galva has operating relationships, and advertising will be limited to word of mouth, customer newsletters, or bill messages and inserts. Galva states it has not prepared advertising materials as of the date of the application, but will file copies of such materials with the Board if and when they are prepared.

The Board will grant Galva's application for a certificate of franchise authority to provide cable and video service in the service area identified in the application. The Board will issue a certificate of franchise authority concurrently with this order.

IT IS THEREFORE ORDERED:

1. The application for a certificate of franchise authority to provide cable and video service filed by Galva Cable Company, LLC, on September 26, 2014, is granted as discussed in this order.
2. A certificate of franchise authority, identified as Certificate No. VC-0025, is issued to Galva Cable Company, LLC, concurrently with this order.

UTILITIES BOARD

/s/ Elizabeth S. Jacobs

/s/ Nick Wagner

ATTEST:

/s/ Joan Conrad
Executive Secretary

/s/ Sheila K. Tipton

Dated at Des Moines, Iowa, this 27th day of October 2014.